Assigned to JUD FOR COMMITTEE



ARIZONA STATE SENATE

Fifty-Third Legislature, First Regular Session

FACT SHEET FOR H.C.R. 2029

signatures; initiative; referendum; legislative districts

<u>Purpose</u>

Subject to voter approval, constitutionally modifies requirements for proposing initiatives and referenda by mandating the required percentage of signatures to come from each legislative district.

Background

Article IV, Section 1 of the Arizona Constitution gives the Legislature the power to enact laws, but the people reserve the power to propose laws and amendments to the Constitution and to approve or disapprove any law proposed by the Legislature at the polls. The number of *qualified electors* is determined using the whole number of votes cast for all candidates for Governor at the last general election before the filing of any initiative or referendum and is the basis on which the number of qualified electors required to sign a petition is computed (Ariz. Const. art IV, § 1).

Arizona's registered voters may propose new laws, amend existing laws or propose constitutional amendments through the initiative petition process after filing an application with the Secretary of State (SOS). An initiative petition requires a number of registered voters equal to at least 10 percent of qualified electors to sign the initiative petition. An initiative to amend the Arizona Constitution requires at least 15 percent of such electors to sign the petition for the measure to be on the ballot (Ariz. Const. art IV, § 1). H.C.R. 2029 requires at least 10 percent of the qualified electors from each legislative district to propose a statewide measure and at least 15 percent of the qualified electors from each legislative district to propose an amendment to the Arizona Constitution.

The referendum allows voters to approve or disapprove any laws or parts of laws enacted by the Legislature. A referendum requires a number of registered voters equal to at least five percent of the qualified electors to sign the referendum petition. The Arizona Constitution stipulates that acts passed by the Legislature do not go into effect for 90 days after the close of legislative session to allow for the referendum process to occur (Ariz. Const. art IV, § 1). H.C.R. 2029 modifies the signature requirement by stipulating at least five percent of the qualified electors from each legislative district must sign the referendum petition to propose an amendment to the Arizona Constitution.

Initiative petitions must be filed with the SOS no later than four months before the election in which the proposed measures will be voted on. Referendum petitions must be filed with the

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SOS no more than 90 days after the final adjournment of the legislative session in which the laws were referred.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

- 1. Limits the right to propose an *initiative* as follows:
 - a) for any statewide measure, 10 percent of the qualified electors from *each state legislative district*; and
 - b) for an amendment to the Arizona Constitution, 15 percent of the qualified electors from *each state legislative district*.
- 2. Limits the right to order a *referendum* for any statewide measure to five percent of the qualified electors from *each state legislative district*.
- 3. Makes technical and conforming changes.
- 4. Requires the SOS to submit the proposition to the voters at the next general election.
- 5. Becomes effective if approved by the voters and on proclamation of the Governor.

House Action

APPROP 2/22/17 DP 8-4-0-1-1 3rd Read 3/1/17 33-23-3-1-0

Prepared by Senate Research March 21, 2017 AW/JO/rr